

### **REMARKS**

The Office Action rejects claims 1-5, 7-12 and 14-16 under 35 U.S.C. §103(a) as being unpatentable over Kawamura et al. (U.S. 6,409,513) in view of Matsuunaga et al. (U.S. 6,044,420) and claims 6 and 13 under 35 U.S.C. §103(a) as being unpatentable over Kawamura et al., Matsuunaga et al. in view of Tadloc et al. (U.S. 6,869,287). These rejections are respectfully traversed.

Independent claims 1, 8 and 15 each recite the measuring of a predetermined ability of the user to deal with characters and the retrieving of data based on the measured ability of the user. Thus, as defined in the claims, a user's ability is measured and data is retrieved based on this measurement.

Kawamura et al. teaches a system that is designed to strengthen the eye to aid the ability to read faster. In performing such tasks, the system provides various exercises for a user to perform reading. These exercises include reading in various formats in which the user's ability to read the words is calculated from the exercises. The pace of the exercises are set by the user. The user determines if the pace is set by the reader or by a program. (see column 10, lines 19-32).

Kawamura's system does not perform the measuring of a user's ability to deal with characters and then retrieve data based on this ability. Kawamura allows a user to select the pace and thus the ability is left to the user to decide and not by a measurement. Therefore, data is retrieved based on the user's selection and not by a measurement of ability. Further, as recognized in the Office Action, Kawamura fails to teach using characters as claimed.

Matsuunaga is provided to teach the use of characters absent in Kawamura. Matsuunaga teaches a system for enhancing the interaction between the user and data viewing. Matsuunaga attempts to optimize the ability of a user to recognize data quickly by using different formats and arrangements for particular types of data. Thus, upon viewing a multitude of data, i.e. various data, motion data, different arrangement of how that data is presented to the user, including display time and placement is optimized for each type of data. As discussed at column 19, an

increased time for display of foreign characters is usually provided since it is assumed that reading foreign characters is slower than reading characters of their native language.

Matsuunaga fails to teach measuring the ability of a user to deal with characters. In Matsuunaga, the ability of the user is assumed and thus characters are displayed based on this assumption regardless of actual ability. (see column 19, lines 27-33).

Thus, neither Kawamura nor Matsuunaga teach or suggest measuring a predetermined ability of a user to deal with characters and the retrieval of data based on the measured ability of the user. Therefore, the combination of Kawamura and Matsuunaga fails to teach each of the feature of independent claims 1, 8, and 15 as required.

With respect to the dependent claims, these claims are considered patentable at least for the same reason as their base claims.

For the reasons set forth above, reconsideration and withdrawal of the rejections are respectfully requested.

### Conclusion

In view of the above, it is respectfully submitted that claims 1-16 are distinguishable over the cited art. Early consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

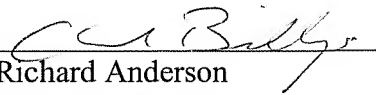
Application No. 09/963,391  
Amendment dated January 8, 2007  
After Final Office Action of October 25, 2006

Docket No.: 3377-0130P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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